

**COMPREHENSIVE EXEMPTION LIST
FOR THE
COUNTY OF KAUAI
DEPARTMENT OF PUBLIC WORKS**

DATED: NOVEMBER 17, 1999

Department of Public Works, County of Kauai is comprised of the following Divisions and Sections:

Parks and Recreation Division
Building Division
Engineering Division
Waste Water Management Division
Road Construction and Maintenance Division
Solid Waste Management Section

Department of Public works will obtain SMA Permits for all applicable work within the Special Management Area.

Department of Public Works will submit to the Kauai Historic Preservation Review Commission for review and comment any exempt activity proposed on property listed or eligible for listing on the Federal or State Registers of Historic Places, or listed on the County of Kauai Planning Department's "County Historic Resources List." The Department of Public Works will comply with Federal, State and County laws, ordinances, policies for decisions relating to proposed activities on said properties.

Department of Public Works will provide public notice and/or hold public informational meetings on all major projects even if the project is exempt from preparing an environmental assessment. The notice and/or meeting shall discuss the pertinent features of the project and solicit public comment. Major projects are projects such as substantial repair and/or replacement of bridges or structures, highway safety improvements, and drainage improvements.

Pursuant to Section 11-200-8(a) Hawaii Administrative Rules, the following types of action shall generally be declared exempt by the Department of Public Works from requirements regarding preparation of an environmental assessment.

EXEMPTION CLASS #1: Operation, repairs, or maintenance of existing structures, facilities, equipment or topographic features involving negligible or no expansion or change of use beyond that previously existing:

1. Reroofing or roofing
2. Painting of existing buildings
3. Road pavement including but not limited to driveways, parking lots, walkways, and bikeways – patching, resurfacing, striping and cleaning of pavement surface
4. Fencing, curbing, walls, and gates
5. Retaining walls
6. Equipment including, but not limited to, pumps; motors; electrical transformers, cabinets, panels, and vaults; power, light, and telephone pole systems; irrigation controllers; telephone stations; and lifts provided for handicapped accessibility
7. Operation of initial or continuing recreational programs consistent with established park use (for example, summer fun programs, sports leagues, concert series)
8. Subdivision/consolidation of public park lands and their transfer between the County and State for continuing park use
9. Acquisition, but not improvement, of improved property for park use, and minor subdivision and consolidation of parcels necessary for acquisition of property for park use

10. Essential utilities, including, but not limited to, wastewater systems, drainage systems, water systems, electrical systems, communication systems, and irrigation systems
11. Landscaping
12. Clearing and grubbing
13. Play courts
14. Ballfields
15. All appurtenant equipment and facilities for all outdoor sports including, but not limited to, soccer, football, volleyball, sand volleyball, basketball, baseball, and softball
16. Bleachers
17. Play court practice walls
18. Ornamental and swimming pools
19. Community gardens
20. Accessible ramps and handrail
21. Litter containers
22. Trash enclosures
23. Trash compactors
24. Play equipment
25. Bike racks
26. Benches and picnic tables

27. Outdoor showers
28. Fitness exercise stations
29. Charcoal disposals
30. Arbors
31. Planter boxes
32. Pedestrian bridges in park areas
33. Maintenance/storage sheds
34. Visitor information kiosks
35. Drinking fountains
36. Hose bibbs
37. Guard shacks
38. Scorekeeper booths and scoreboards
39. Phone booths
40. Bollards and vehicular access barriers
41. Steps and stairways
42. Water tanks developed to serve park needs
43. Signs and posts
44. Skating rinks and related facilities
45. Security lighting of park grounds, structures, and parking lots

46. Lighting of ballfields
47. Lighting of play courts
48. Ball barriers
49. Batting cages
50. Abandoned vehicle pickup
51. Building exterior painting
52. Building exterior repair
53. Cesspool pumping
54. Chemical control of vector
55. Litter container pickup
56. Manhole and junction boxes cover adjustment
57. Sanitary sewer cleaning
58. Sanitary sewers leak sealing
59. Storm drain cleaning
60. Vehicle repair, testing, and maintenance
61. Vegetation clearing from stream. Work under this exemption would be performed by the Division of Road Maintenance on improved and unimproved drainage ditches, swales, and streams under the department's jurisdiction. Work would involve removing and cutting of debris, brush, grass (predominantly California and honohono grasses), and occasional koa trees up to three inches in diameter to restore channel capacity. The equipment to be used by the work crew of about six men consists of sickles, cane knives, and a power saw if trees are to be cut. A loader,

excavator, and trucks would be used to haul the vegetation and debris to the nearest green waste station. Herbicide, which has been approved for use in the State of Hawaii, would be sprayed on the earth embankment after the cutting has been completed. The herbicide Roundup would be applied routinely to banks of streams, canals, and ditches and to dry waterways when dry to control overgrowth. No direct application to any body of water will be made. The herbicide diquat will be used for weed control when direct application to water in streams, canals, and ditches is unavoidable. Diquat will be applied by or under the supervision of a certified applicator in accordance with Hawaii Administrative Rule, Chapter 66, Title 4. The herbicide Rodeo will be applied to fresh or brackish bodies of water directly. All herbicides will be used under the following conditions:

- a. Label instructions will be strictly adhered to;
- b. Dosage for Herbicide will be as prescribed by the label;

Soil disturbance would be minimal, if any, and all work would be confined within the right-of-way.

- 62. Actions necessary for compliance with OSHA requirements
- 63. Acquisition of land presently utilized as maintenance accessways, by easement or deed, for the purpose of stream cleaning
- 64. Removing litter, debris and accumulated boulders from canals, streams and debris/catchment structures where such removal will not have an adverse impact on downstream waters, bays, or the environment
- 65. Roadside Maintenance – mowing, minor grading of shoulder to clear rocks and overgrown grass matted with dust and debris, trimming branch and brush overhangs, repairing fences, guardrails, and signs
- 66. Removal of sand from ocean ponds or drainageways for maintenance purposes as permitted by the U.S. Army Corps of Engineers and the Department of Health.

EXEMPTION CLASS #2:

Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.

1. Park structures including, but not limited to pavilions, shelters, canoe halau, recreation buildings, multi-purpose buildings, clubhouses, education buildings, gymnasiums, ball comfort stations, bathhouses, concession stands, administration buildings, bandstands, storage and operations buildings, equipment sheds, tent platforms, viewing platforms, security and information booths, and caretaker residences
2. Pavements including, but not limited to, roadways, driveways, parking lots, walkways, and bikeways
3. Fencing, curbing, walls, and gates
4. Retaining walls
5. Equipment including, but not limited to, pumps, motors, electrical transformers, cabinets, panels, and vaults, power, light, and telephone pole systems; irrigation controllers, telephone stations; and lifts provided for handicapped accessibility
6. Essential utilities, including, but not limited to, wastewater systems, drainage systems, water systems, electrical systems, communications systems, and irrigation systems
7. Landscaping
8. Clearing, grading, and grubbing
9. Play courts
10. Ballfields

11. All appurtenant equipment and facilities for all outdoor sports including, but not limited to, soccer, football, volleyball, sand volleyball, basketball, baseball, and softball
12. Bleachers
13. Play court practice walls
14. Ornamental and swimming pools
15. Community gardens
16. Accessible ramps and handrails
17. Litter containers
18. Trash enclosures
19. Trash compactors
20. Play equipment
21. Bike racks
22. Benches and picnic tables
23. Outdoor showers
24. Fitness exercise stations
25. Charcoal disposals
26. Arbors
27. Planter boxes
28. Pedestrian bridges in park areas

29. Maintenance/storage sheds
30. Visitor information kiosks
31. Drinking fountains
32. Hose bibbs
33. Guard shacks
34. Scorekeeper booths and scoreboards
35. Phone booths
36. Bollards and vehicular access barriers
37. Steps and stairways
38. Water tanks developed to serve park needs
39. Signs and posts
40. Skating rinks and related facilities
41. Security lighting of park grounds, structures, and parking lots
42. Lighting of ballfields
43. Lighting of play courts
44. Ball barriers
45. Batting cages
46. Berms, replacement and repairs
47. Bridge repair and/or replacement as long as the new bridge is limited to two traffic lanes. New bridge replacement could include bicycle route,

pedestrian walkway and safety improvements to meet Federal and State Highway Standards.

48. Building modification (no change in use)
49. Drainage structure replacement and repair
50. Driveway replacement
51. Exterior door replacement
52. Footbridge replacement and repair
53. Guard rail replacement and repair
54. Sanitary sewer line replacement and repair
55. Stream retaining wall repair and replacement
56. Storm drainage system repair and replacement
57. Acquisition of lands for drainage purposes where there is a natural, existing drainage watercourse
58. Reconstruction of an existing highway for safety purposes by widening less than one lane width, adding shoulders, adding auxiliary lanes for localized purposes (i.e., turning, passing, decelerating lanes, etc.), and correcting substandard curves and intersections. Cut slopes may be graded to a minor extent for such reconstruction.
59. Acquisition of lands that do not include homes and businesses and relocation of tenants, especially for upgrading substandard curvatures and intersections for roadway improvements
60. Replacement, reconstruction or extension of existing sewer lines, providing the action does not involve any increase in the overall capacity of the system.

EXEMPTION CLASS #3:

Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: (A) Single-family residences less than 3,500 square feet not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores, offices, and restaurants designed for total occupant load of 20 persons or less per structure, if not in conjunction with the building of two or more such structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility services extension to serve such structure or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and, acquisition of utility easements.

1. Fencing, curbing, walls, and gates
2. Extensions, modifications, or additions to existing buildings
3. Essential utilities, including, but not limited to, wastewater systems, drainage systems, water systems, electrical systems, communication systems, and irrigation systems
4. Construction of new pavement including, but not limited to, driveways, parking lots, walkways, and bikeways
5. Retaining walls, except within the shoreline area
6. Equipment installations including, but not limited to, pumps; motors; electrical transformers, cabinets, panels, and vaults; power, light, and telephone pole systems; irrigation controllers; telephone stations; and lifts provided for handicapped accessibility
7. Comfort facilities in existing parks
8. Benches and picnic tables

9. Ornamental and swimming pools
10. Play equipment
11. Bike racks
12. Litter containers
13. Trash enclosures
14. Arbors
15. Planter boxes
16. Pedestrian bridges in park areas
17. Outdoor showers
18. Maintenance/storage sheds
19. Visitor information kiosks
20. Drinking fountains
21. Water tanks developed to serve park needs
22. Bleachers
23. Acquisition of utility easements on other properties for park use
24. Landscaping
25. Clearing, grading, and grubbing
26. Play courts
27. Ballfields

28. Play court practice walls
29. Community gardens
30. Accessible ramps and handrails
31. Trash compactors
32. Fitness exercise stations
33. Charcoal disposals
34. Hose bibbs
35. Guard sheds
36. Scorekeeper booths and scoreboards
37. Phone booths
38. Bollards and vehicular access barriers
39. Steps and stairways
40. Signs and posts
41. Skating rinks and related facilities
42. Security lighting of park grounds, structures, and parking lots
43. Lighting of ballfields
44. Lighting of play courts
45. Ball barriers
46. Batting cages

47. Air conditioning and ventilation installation
48. Carports
49. Emergency electric generator installation in existing sewage pump station
50. Equipment installation in existing buildings
51. Existing storm drain extension
52. Expansion of existing pump station and force main to master planned capacity (additional pumping equipment pipe and appurtenances)
53. Fencing
54. Field office
55. Guardrail
56. Minor local sewage pump station
57. Minor local storm runoff pump station
58. Modification, required to conform to Federal, State and Local regulations or codes
59. Sewer improvements district
60. Sidewalk and covered walkway
61. Storm drain line modification
62. Utility connection (electric, gas, water)
63. Sewer service installation including:
 - a. the construction of a sewer lateral from an existing sewer main located in an easement or street right-of-way to the abutting property line of unsewered lots

- b. the extension of an existing sewer main together with a lateral to serve unsewered lots;
 - c. the construction of additional laterals or the replacement of existing laterals to accommodate other utility lines or to facilitate connections from house sewer on the premise to laterals;
- 64. Sewer lateral extension, involving the extension of an existing later to a new property line for rod improvement projects or for existing laterals that were inadvertently installed short of the property line
 - 65. Installation of new traffic and pedestrian control devices—traffic signals, signs, pavement markers, striping
 - 66. Installation of new and upgrading of existing street lighting system
 - 67. Installation of traffic and pedestrian safety measures—guardrails, escape ramps, sidewalks
 - 68. Construction of emergency generator shed and installation of generator within existing sewage pump station or treatment plant site
 - 69. Minor modifications and additions to existing sewage treatment plan or disposal facility or building complex consistent with and within master planned capacity and as described in a previously accepted EIS prepared under Chapter 343, HRS
 - 70. Installation of sprinkler systems
 - 71. Pavilions, comfort stations and picnic shelters
 - 72. Storm drainage system repair and replacement
 - 73. Acquisition of lands for drainage purposes where there is a natural, existing drainage watercourse
 - 74. Acquisition of lands that do not include homes and businesses, especially for upgrading substandard curvatures and intersections for roadway improvements

EXEMPTION CLASS #4:

Minor alterations in the conditions of land, water, or vegetation.

1. Landscaping alongside roadways, around buildings, and within existing parks (i.e., trees, shrubs, grass, ground covers, and community gardening planting)
2. Clearing, grubbing, or grading within existing parks, roadways or county lands
3. Removal of insignificant trees which endanger life or property
4. Construction of seepage drains/detention basins where ponding occurs on County lands
5. Regrading road shoulders and installation of pedestrian/bike sidewalk-bikepath
6. Landscaping of park lands

EXEMPTION CLASS #5

Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource

1. Basic data collection, research, experimental management, and resource evaluation activities necessary within existing parks which do not result in a serious or major disturbance to an environmental resource including, but not limited to, archaeological surveys, reconnaissance, testing, or data recovery
2. Biological and ecological study and survey
3. Chemical and bacteriological laboratory analysis
4. Coliform bacteria decay rate

5. Fish survey
6. Fresh and saline water sampling
7. Industrial waste sampling and analysis
8. Monitoring device installation
9. Oceanographic survey
10. Receiving water monitoring program
11. Sediment study and survey
12. Storm water runoff sampling and analysis
13. Stream study and survey
14. Subsurface exploration soil boring
15. Ocean Engineering Study

EXEMPTION CLASS #6:

Construction or replacement of minor structures accessory to existing facilities.

1. Retaining walls, except in shoreline areas
2. Plaques, sculptures, and statues
3. Trash enclosures
4. Benches and picnic tables
5. Ornamental and swimming pools
6. Play equipment

7. Bike racks
8. Arbors
9. Planter boxes
10. Pedestrian bridges in park areas
11. Outdoor showers
12. Maintenance/storage sheds
13. Visitor information kiosks
14. Play court practice walls
15. Accessible ramps and handrails
16. Trash compactors
17. Fitness exercise stations
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24. Security lighting of park grounds, structures, and parking lots
25. Lighting of ballfields

26. Lighting of play courts
27. Batting cages
28. Exterior lighting
29. All appurtenant equipment and facilities for all outdoor sports including, but not limited to, soccer, football, volleyball, sand volleyball, basketball, baseball, and softball

EXEMPTION CLASS #7:

Interior alterations involving things such as partitions, plumbing, and electrical conveyances.

1. Interior alterations and renovations to County buildings including, but not limited to, partitions, doors, counters, cabinets, shelving, plumbing, and electrical conveyances

EXEMPTION CLASS #8:

Demolition of structures, except those structures located on any historic site as designated in the national register or Hawaii register as provided for in the National Historic Preservation Act of 1966, Public Law 89-665, 16 U.S.C. §470, as amended, or Chapter 6E, HRS.

1. Demolition of County structures, except those structures located on any historic site

EXEMPTION CLASS #9:

Zoning variances except shoreline setback variances.

1. Zoning variances of County properties except shoreline setback variances

EXEMPTION CLASS #10:

Continuing County administrative activities including, but not limited to, purchase of supplies and personnel-related actions.

1. Continuing County administrative activities including, but not limited to, purchase of supplies and personnel-related actions